

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

DONNA KAY WELLS LLOYD,
as Personal Representative for the
Estate of Clarence D. Wells, deceased,

Plaintiff,

v.

JENSEN FARMS, et. al.

Defendants.

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Civil No.: 1:11-CV-02810-CCB

**STIPULATION FOR VOLUNTARY DISMISSAL WITHOUT PREJUDICE
UNDER FRCP 41a(1)(A)(ii)**

COME NOW the Parties, by and through their attorneys of record, undersigned, and requests this court to dismiss this action as to all defendants, and to dismiss any third-party or cross-claims, all without prejudice, under FRCP 41(a)(1)(A)(ii), stating as follows:

1. The Plaintiffs filed a complaint against the Defendants on September 30, 2011.
2. Defendant Jensen Farms filed a cross-claim against defendant Frontera on December 20, 2011.
3. By order of this court dated May 1, 2012, defendant Frontera was granted leave to amend its answer to include a cross-claim against defendant Jensen Farms, and also to file a third-party complaint against third-party defendants Primus Group, Inc. d/b/a "Primus Labs," Bio Food Safety, Inc., and Pepper Equipment Corp.
4. All parties except third-party defendant Bio Food Safety have appeared in this action.
5. Pepper Equipment Co. has filed a motion to dismiss for lack of personal jurisdiction.
6. Under FRCP 41(a)(1)(A)(ii), the parties to an action may dismiss the action by written stipulation signed by all parties who have appeared.
7. This stipulation to dismiss is expressly done without prejudice to the ability of plaintiff to re-file this action at a later date, and is also without prejudice to the ability of any party to later assert any defense, counterclaim or cross-claim, or third-party claim.

7.18.12

Dated



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STIPULATION FOR VOLUNTARY DISMISSAL
W/O PREJUDICE UNDER FRCP 41a(1)(A)(ii) - 1

and

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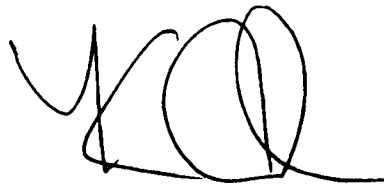
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7-20-2012

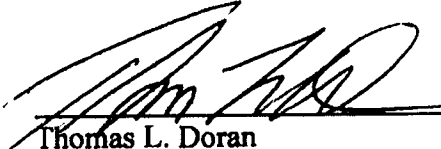
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the forgoing STIPULATION FOR VOLUNTARY DISMISSAL WITHOUT PREJUDICE UNDER FRCP 41a(1)(A)(ii) was served on this 24th day of July, 2012 by electronic filing with the United States District Court for the District of Maryland, a copy of which was then forwarded to the attorney of record by the Court's CM/EMF system and via first class mail, postage prepaid to:

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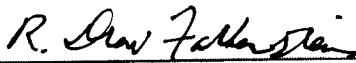
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